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Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) CASE NO.

Plaintiff, )

v. )

ONE PARCEL OF REAL PROPERTY )  
LOCATED AT 9414 PLAZA POINT DRIVE, )  
MISSOURI CITY, TEXAS, 77459, )

Defendant. )

**VERIFIED COMPLAINT FOR CIVIL  
FORFEITURE *IN REM***

The United States of America, by its attorneys, David L. Anderson, United States Attorney, and Chris Kaltsas, Assistant United States Attorney for the Northern District of California, brings this complaint and alleges as follows:

**NATURE OF THE ACTION**

1. This is a judicial forfeiture action *in rem*, as authorized by Title 18, United States Code, Section 981; and Title 18, United States Code, Section 1343.

2. This Court has jurisdiction under Title 18, United States Code, Section 981 and Title 28, United States Code, Sections 1345 and 1355, as the defendant real property constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1343, or a conspiracy to commit such an offense. Title 18, United States Code, Section 1343 is incorporated into Title 18, United States Code, Section 981 via Title 18, United States Code, Sections 1956(c)(7) and 1961(1).

3. This action is timely filed in accordance with Title 18, United States Code, Section 983 and Supplemental Rule G of the Federal Rules of Civil Procedure.

4. Venue is proper because the acts and/or omissions giving rise to forfeiture occurred in the Northern District of California. See Title 28, United States Code, Section 1355(b)(1)(A).

5. Intra-district venue is proper in the San Francisco division within the Northern District of California.

### PARTIES

6. Plaintiff is the United States of America.

7. The defendant property is one (1) parcel of real property located at the address commonly known as 9414 Plaza Point Drive, Missouri City, Texas, 77459 (“the RESIDENCE”). This address is associated with assessor’s parcel number (“APN”) 8136910010080907. The property’s owners include Rowland Marcus Andrade (“ANDRADE”) and his wife, Soimaz Andrade.

### FACTS

8. ANDRADE and his close associates, including individual J.D., engaged in a scheme to defraud wherein ANDRADE and his associates stated that ANDRADE and his company, National AtenCoin Foundation (“NAC”) were working on a new cryptocurrency, at various times called AtenCoin, AML Bitcoin, and ABTC. According to statements made by ANDRADE and his associates, the new cryptocurrency would operate using various biometric verification mechanisms to render the cryptocurrency compliant with anti-money laundering regulations, “know your customer” regulations, and various rules governing the financial industry set forth in the PATRIOT Act.

9. ANDRADE, J.D., and ANDRADE’s associates induced numerous individuals to invest into the cryptocurrency through materially false and misleading statements regarding the status of the development of the cryptocurrency and the use of funds raised from investors. Investors were also told

1 false statements regarding business arrangements that ANDRADE and his associates had purportedly  
 2 made with government agencies and ports, falsely leading investors to believe ANDRADE's and his  
 3 associates' statements about the prospects of the AML Bitcoin cryptocurrency.

4 10. In 2018, J.D. convinced an individual ("VICTIM ONE") to invest in the cryptocurrency  
 5 project and to purchase so-called tokens that would be redeemable for the cryptocurrency AML Bitcoin  
 6 at a later date. J.D. met with VICTIM ONE and discussed the cryptocurrency in person and via telephone  
 7 and email. Between January 12 and January 29, 2018, VICTIM ONE wired over \$1,000,000 from a  
 8 personal bank account into an account J.D. controlled held at JP Morgan Chase Bank, with an account  
 9 number ending in **8602** (the "BBC" account). VICTIM ONE wired money from their personal account to  
 10 the BBC account in the following transactions:

Item	Date	Amount
1	1/12/2018	\$120,000.00
2	1/12/2018	\$730,000.00
3	1/23/2018	\$150,000.00
4	1/25/2018	\$67,500.00
5	1/29/2018	\$37,500.00
<b>Total Sent:</b>		<b>\$1,105,000.00</b>

11 11. VICTIM ONE invested based on information provided and statements made by J.D.,  
 12 including that the cryptocurrency was under development; that millions of tokens representing the  
 13 cryptocurrency had been successfully sold; and that his funds would be used to further the development  
 14 of the cryptocurrency. ANDRADE also falsely promised VICTIM ONE, among other investors, on  
 15 numerous occasions that the launch of the cryptocurrency was months away, notwithstanding that at the  
 16 time of the statements development were minimal and not progressing.

17 12. After J.D. obtained funds from VICTIM ONE, he transferred those funds to another bank  
 18 account held by a third party who acted at the direction of ANDRADE at JP Morgan Chase Bank, bearing  
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1 an account number ending in **7620** (“the DSA account”). Those funds eventually transferred to an account  
 2 labeled as belonging to NAC Payroll Services Inc. (the “payroll services account”), over which  
 3 ANDRADE held signatory authority. VICTIM ONE also made deposits directly into the NAC’s “payroll  
 4 services account.”

5 13. VICTIM ONE’s investments are traceable to later transfers of funds from the NAC payroll  
 6 services account to a bank account labeled as the “Fintech Fund” account at Wells Fargo Bank, bearing  
 7 an account number ending in **9668** (“the Fintech Fund account”).

8 14. ANDRADE, who was the sole signatory for the Fintech Fund account, further transferred  
 9 VICTIM ONE’s funds, among others, to a bank account he held in his personal name at Woodforest  
 10 National Bank, bearing an account number ending in **0910** (“the Woodforest ANDRADE account”). On  
 11 April 11, 2018, ANDRADE purchased cashier’s check for \$226,150.90, payable to Nueces Title; and on  
 12 May 10, 2018, ANDRADE purchased cashier’s check for \$730,538.89, payable to First American Title  
 13 Company. Both checks were funded from the Woodforest ANDRADE account.

14 15. On May 10, 2018, ANDRADE and his wife purchased the RESIDENCE from a Texas  
 15 homebuilding firm. ANDRADE paid over \$747,000 for the home, primarily using the \$730,538.89  
 16 cashier’s check from Woodforest National Bank dated May 10, 2018. These funds are traceable to the  
 17 proceeds of the cryptocurrency investment scheme described above, including the funds of VICTIM ONE.

18 16. To date, ANDRADE and the NAC have not made any meaningful progress towards  
 19 developing AtenCoin, AML Bitcoin, or ABTC.

20 17. VICTIM ONE would not have invested in the cryptocurrency had they known the funds  
 21 would be used to purchase the defendant property. ANDRADE used the proceeds of the scheme to defraud  
 22 described above to purchase the defendant property.

### 23 CLAIM FOR RELIEF

24 18. The United States incorporates by reference the allegations in paragraphs 1 through 12 as  
 25 though fully set forth herein.

26 19. Title 18, United States Code, Section 1343 prohibits a person from devising or intending  
 27 to devise a scheme or artifice to defraud, or to obtain money or property, by means of wire, radio, or  
 28 television communication in interstate or foreign commerce.



1 WHEREFORE, plaintiff United States of America requests that due process issue to enforce the  
2 forfeiture of the above listed Defendant Property; that notice be given to all interested parties to appear  
3 and show cause why forfeiture should not be decreed; that judgment of forfeiture be entered; that the Court  
4 enter a judgment forfeiting the Defendant Property; and that the United States be awarded such other relief  
5 as may be proper and just.

6  
7 DATED: March 16, 2020

Respectfully submitted,

8 DAVID L. ANDERSON  
9 United States Attorney

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11 CHRIS KALTSAS  
12 LLOYD FARNHAM  
13 ANDREW DAWSON  
14 Assistant United States Attorneys  
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**VERIFICATION**

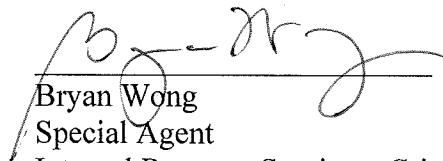
I, Special Agent Bryan Wong, state as follows:

1. I am a Special Agent with the Internal Revenue Service – Criminal Investigation. I am an agent assigned to this case. As such, I am familiar with the facts and the investigation leading to the filing of this Complaint for Forfeiture.

2. I have read the Complaint and believe the allegations contained therein to be true.

\* \* \* \* \*

I declare under penalty of perjury that the foregoing is true and correct. Executed this 16<sup>th</sup> day of March, 2020, in San Francisco, California.

  
Bryan Wong  
Special Agent  
Internal Revenue Service – Criminal Investigation



JS 44 (Rev. 09/19)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

United States of America

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Chris Kaltsas, Assistant U.S. Attorney, 450 Golden Gate Ave., Box 36055, San Francisco, CA 94102, Tel: 415-436-7200

**DEFENDANTS**

One Parcel of Real Property Located at 9414 Plaza Point Drive, Missouri City, Texas, 77459

County of Residence of First Listed Defendant \_\_\_\_\_

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input checked="" type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
			<b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
Title 18, USC 981; Title 28, USC 1345 and 1355

Brief description of cause:

Property Constitutes or is Derived from Proceeds Traceable to a Violation

**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.**DEMAND \$**

CHECK YES only if demanded in complaint:

**JURY DEMAND:** ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

DATE

03/23/2020

SIGNATURE OF ATTORNEY OF RECORD

/S/ Chris Kaltsas

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_